

**Date Posted: September 13, 2013**

**CITY OF EAST PROVIDENCE**

**RHODE ISLAND**

**DOCKET OF REGULAR COUNCIL MEETING**

**September 17, 2013**

**Council Chambers, City Hall, 145 Taunton Avenue, East Providence,  
RI 02914**

**7:30 P.M. Open Session**

## **I. CALL TO ORDER**

## **II. SALUTE TO THE FLAG**

## **III. TO APPROVE THE CONSENT CALENDAR**

**All items under “CONSENT CALENDAR” are considered to be of a routine and noncontroversial nature by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the item will be removed from the “CONSENT CALENDAR” and will be considered in its normal sequence on the docket.**

### **A. Letters Received**

- 1. Coastal Resources Management September 2013 Calendar.**

**2. Notice of New Property Number, 7 Winter Harbor Avenue, Map 513, Block 34, Parcel 003.00, Zoning R4, Megan Correia, 12 N. Shore Drive (02915).**

**3. Notice of New Property Number, vacant lot from demolished home at 55 Hazelwood Drive, Map 307, Block 15, Parcel 001.00, Zoning R4, new number 216 S. Spruce Street, Map 307, Block 15, Parcel 001.00, Zoning R4, Joseph and Estrella Cavaco, 55 Hazelwood Drive (02914).**

**B. Alcoholic Beverage License Class F-1**

**1. St. Francis Xavier Church, 160 Orchard Street (02914), St. Francis Xavier Band Anniversary Dinner, Saturday, October 5, 2013.**

**2. St. Francis Xavier Church, 160 Orchard Street (02914), 30 Week Club Dinner, October 26, 2013.**

**C. Council Journals**

**1. Special Council Meeting July 29, 2013**

**2. Regular Council Meeting September 3, 2013**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**IV. PUBLIC COMMENT**

## **V. LICENSES NOT REQUIRING PUBLIC HEARING**

Licenses are granted subject to all required approvals from State and City departments.

### **A. Hawker – 90 Day**

Lamo Group, LLC, 160 Rounds Avenue, Apt. 3, Providence (02907),  
Larry E. Gailloux, 160 Rounds Avenue, Apt. 3, Providence (02907).

Motion\_\_\_By\_\_\_2nd\_\_\_

Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_

## **VII. PUBLIC HEARING ORDINANCES FINAL PASSAGE**

### **A. An ordinance regarding sewer consumption charge.**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “UTILITIES.”**

**SECTION I. Section 17-183 entitled “Charges to be based upon water consumption; rate” of Chapter 17 of the ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Utilities” is amended by adding thereto the following:**

**(g) Upon written request of the property owner, a one time adjustment of an excessive sewer consumption charge may be approved by the Claims Committee with a review and recommendation by the Director of Public Works, if the request meets all of the following conditions:**

**(1) The property has not received a previous abatement for sewer consumption charges within the past ten years, regardless of property ownership.**

**(2) The excessive consumption must exceed the prior year same period consumption at the property by thirty-three (33) percent.**

**(3) Excessive use cannot be caused by change in use, i.e., added living units or conversion from residential to commercial.**

**(4) The adjustment to the sewer consumption charge will be computed in accordance with the following formula:**

**Total billed consumption, minus prior year same period consumption, equals excessive consumption. Excessive consumption divided by two (2), plus normal consumption, equals the total adjusted consumption upon which the adjusted sewer consumption charge will be calculated. The calculation will be made using the sewer charges in effect for the billing period in question.**

**(5) The adjusted amount will be deducted from the amount owed if the bill is unpaid or credited to the account if the bill has been paid. There will be no adjustment of interest charges unless the written request had been received prior to the due date of the bill.**

**SECTION II. This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.**

**Requested by: Department of Public Works**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**B. An ordinance regarding a Stop Sign on Gerald Street.**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “VEHICLES AND TRAFFIC”**

**SECTION I. Subsection (b) of Sec. 18-269 entitled “Stop and yield intersections designated; when stops required.” is amended by adding thereto the following:**

**Gerald Street (northbound and southbound traffic) at its intersection with Robinson Street**

**SECTION II. This ordinance shall take effect upon second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.**

**Requested by: Councilwoman Rossi**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**C. An ordinance pertaining to donations for Middle School Sports.**

**AN ORDINANCE APPROPRIATING MONIES DONATED BY THE TAXPAYERS OF THE CITY OF EAST PROVIDENCE FOR THE PURPOSE OF SUPPORTING MIDDLE SCHOOL SPORTS**

**SECTION I. Any and all monies received by the City of East Providence in trust for the benefit of the Middle School Sports Program are monies donated for a specific purpose as designated by the donor pursuant to R.I. Gen. Laws § 45-2-3(10). Any and all monies received in trust for the benefit of the Middle Schools Sports Program**

are not part of the “annual local contribution” as set forth in R.I. Gen. Laws § 16-7-23.

**SECTION II.** Any and all monies received by the City of East Providence in trust for the benefit of the Middle School Sports Program are hereby appropriated for said purpose. Upon the presentation of vouchers signed by the Superintendent of Schools or her designee, the Director of Finance shall disburse the amounts set forth in the vouchers to the extent that there are sufficient monies held in trust by the Director of Finance.

**SECTION III.** This ordinance shall take effect upon its passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

**Requested by: Director of Finance**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

## **VIII. NEW BUSINESS**

### **A.City Managers Report (by City Manager Peter Graczykowski)**

- 1. Department Activity Report**
- 2. EPBC Personnel Activity Report from 9/12/13**
- 3. EPBC Staff Payroll Charges**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

- 4. Request to Award Contract for the East Providence Fire**

## **Department Uniforms**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**5. Municipal Recycling Rebate**

**6. Non-Functioning Street Lights Credit**

**7. Street Maintenance**

**8. FY 2013-2014 Proposed Budget Presentation by Finance Director  
Malcolm A. Moore on behalf of City Manager Peter Graczykowski**

**9.Motion to schedule the first Public Hearing for the FY 2013-2014  
Proposed Budget for the next Council meeting on October 1, 2013.**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

## **B.Reports of Other City Officials**

**1. Handicap Parking Request for 200 North County Street (by Director  
of Public Works, Steve Coutu)**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**C. Council Members**

- 1. Parks (by Assistant Mayor Rose)**
- 2. Police Vehicles and Equipment (by Assistant Rose)**
- 3. Community Event Announcements (by Councilwoman Rossi)**

**D. Report of School Committee Liaison**

**E. Introduction of Ordinances**

**1. An ordinance regarding restriction of certain trucks on Brentwood Drive, Don Avenue and from Pawtucket Avenue to Weeden Avenue.**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “VEHICLES AND TRAFFIC”**

**SECTION I. Section 18-224 entitled “Certain trucks restricted on certain streets” of Article VII entitled “Operation of Vehicles” of Chapter 18 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Vehicles and Traffic.” is amended by adding thereto the following:**

**Brentwood Drive**

**Don Avenue, from Pawtucket Avenue to Weeden Avenue**

**SECTION II. This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.**

**Requested by: Public Works Director**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**



## **F. Communications**

**1. Jared Cowgur, 9 Sheridan Avenue (02916) requesting to address the Council regarding a request to host a block party on October 26, 2013 from 6:00PM-10:00PM, Sheridan Avenue will need to be blocked on both ends, Roger Williams Avenue and Campbell Street.**

**2. Ken Foley, 50 French Street, Rehoboth, MA/1 Dexter Road, East Providence requesting to address the Council regarding East Providence Police Report of 7/12/13 and the handling, reporting, update and latest Hummel Report.**

## **IX. ADJOURNMENT**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**\*If communications assistance is needed or any other accommodations to ensure equal participation please contact the City Clerk's Office at 435-7590.**